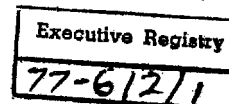


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OLC 77-1073

25 MAR 1977

MEMORANDUM FOR: Director of Central Intelligence

FROM: George L. Cary
Legislative Counsel

SUBJECT: Status of Senate Select Committee on
Intelligence Special Study

REFERENCE: Commander McMahon's note of 2 March 1977
Requesting Status Report on Above Subject

1. Action Requested: None; for information only.
2. In response to Commander McMahon's memorandum of 2 March, I am forwarding this report on the status of the Senate Select Committee on Intelligence study due July 1977. The Select Committee views the list of subjects in Section 13(a) of S. Res. 400 as its first year agenda and the Committee does not feel compelled to produce for the Senate a single report covering all of these matters. The subjects listed are those the Senate felt were not adequately treated by either the Church Committee or in the hearings and debate of S. Res. 400.

3. Here is a status report on the individual subjects:

a. Quality of Intelligence

Section 13(a)(1) requires a study on the quality of intelligence and a Subcommittee on Collection, Production and Quality, chaired by Senator Stevenson, was established to conduct it. The Select Committee has devoted more energy to this topic than to any of the other subjects required to be studied. The Subcommittee is producing case studies on the intelligence on the following subjects: the Soviet strategic force estimates (including a comprehensive study on the A and B team exercise); 1974 and 1975 intelligence reporting on Portugal; reporting on China; intelligence reporting

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on the world oil situation 1973 to the present; and perhaps a report on world natural resources (excluding oil). The individual reports are due to the Subcommittee by the end of March.

b. Charters

Sections 13(a)(2), (3) and (9) all deal with the question of intelligence charters and guidelines, and are the responsibility of the ad hoc Subcommittee on Charters and Guidelines, chaired by Senator Huddleston. As you know, the Subcommittee has been working for several months on an overall charter for the Intelligence Community, including the role of the National Security Council, the DCI, and other elements of the Community's hierarchy. We now have a copy of the Committee's preliminary work, and are preparing comments on it.

c. Covert Activities

Section 13(a)(4) directs a study of covert and clandestine activities and the procedures by which Congress is informed of such activities. Chairman Inouye has directed Bill Miller to prepare an unclassified report on procedures by which the Committee is notified of covert action. The report will include no information on actual programs. Miller has assured us that he will permit the Agency an opportunity to review the report before publication.

d. Secrecy

Section 13(a)(5) directs a study of the adequacy of laws, Senate rules and Executive Branch directives for the protection of sensitive intelligence information and the disclosure of information which can safely be made public. The Committee has just formed an ad hoc Subcommittee on Security Classification, chaired by Senator Biden. This Subcommittee will inquire into the need for additional protection for intelligence sources and methods, will look into the feasibility of a statutory classification system (which Bill Miller estimates would take years to develop), and will investigate the adequacy of security procedures among Government contractors.

e. Senate Standing Intelligence Committee

Section 13(a)(6) directs a study on the desirability of establishing a standing committee of the Senate on intelligence activities. This matter was settled during the recent debate on the reorganization of the Senate committee system, when the Senate Select Committee on Intelligence was established as a permanent select committee rather than a permanent standing committee. The distinction is that the Select Committee is not subject to the standing rules of the Senate, but rather derives its charter from S. Res. 400 of the 94th Congress. No further study of this matter is contemplated.

f. Joint Committee

Section 13(a)(7) directs the Committee to study the feasibility of a joint committee. No independent study of this question is planned. The Committee feels there is no sentiment now in either the Senate or the House for the establishment of a joint intelligence committee. If a House select committee on intelligence is established, the Senate Select Committee stands ready to discuss with a House Committee the possibility of joint meetings and other cooperative ventures to reduce the reporting burden on the Executive Branch.

g. Budget Authorization

Section 13(a)(8) requires a study of the advisability of an authorization of funds for intelligence activities and of whether a disclosure of the amount of such funds is in the public interest. This question is being considered in connection with the Committee's authorization of the FY 78 budget and will not be the subject of an individual study. It appears that a majority of the Senate Select Committee on Intelligence membership and staff favor the public disclosure of the total NFIP figure.

SIGNED

George L. Cary

cc: DDCI

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2 March 1977

MEMORANDUM FOR: Acting Director of Central Intelligence
FROM: Executive Assistant to DCI-Designate

Admiral Turner would like to know the status of the Select Committee's study which will report to the full Senate in July 1977 matters including quality, intelligence revision of charters and budget secrecy.



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